

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-66 are pending in this application. Claims 1, 22 and 43 are independent. All of the pending claims stand rejected. By this Amendment, independent claims 1, 22 and 43 are amended. No new matter has been added by this Amendment.

#### **Rejection under 35 U.S.C. §102(b)**

Claims 1-6, 9, 12, 16, 18, 22-27, 30, 33, 37, 39, 43-48, 51, 54, 58 and 60 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,924,082 to Silverman et al. ("Silverman").

Silverman discloses a negotiation matching system, including multiple remote terminals associated with respective potential counterparties. Each user enters trading information and ranking information into his/her remote terminal. A matching station then uses the trading and ranking information from each user to identify acceptable counterparties based on the ranking information. Once a match occurs, the potential counterparties transmit an exchange of information for a particular transaction.

Independent claims 1, 22 and 43 have been amended to provide further clarification. In particular, amended claim 1 recites, *inter alia*, "providing the second member with a result of the comparing step which includes the project description of the first member if the comparing step identifies at least one common characteristic; delivering a request from the second member to the

first member requesting a direct communication with the first member, wherein the request includes an identification of the second member;”

One of the aspects of the present invention resides in the fact that the supplier (e.g., a first member) can decide whether to exchange confidential information with the buyer (e.g., a second member) based on the received identification information of the second member. This allows the supplier to investigate any conflict with the buyer prior to initiating the exchange with the buyer. For example, a portion of the original specification (e.g., the last paragraph of page 18 beginning with line 16 of the original specification) describes:

The request discloses the requesting party's true identity to the Supplier so that the Supplier can decide whether a conflict prevents the Supplier from dealing with the requestor. If a conflict exists, the Supplier uses a standard response template to indicate that they decline to deal with the requestor. If a conflict does not exist, the Supplier uses a standard response template to indicate the requirements (e.g., restrictions on the use of the technology, or the type of Confidentiality Agreement required) that the requestor must meet before the Supplier will agree to direct contact. The Supplier decides whether to allow the requestor to enter the Supplier's secure collaboration area for the technology.

Indeed, the independent claims require that, *inter alia*, (i) the requesting party's (second member's) identification be disclosed to the Supplier (first member) -- "... wherein the request includes an identification of the second member ..."; and (ii) "an exchange of confidential information between the first member and the second member ... [occurs] only if the request from the first member indicates that the first member agrees to the direct communication."

However, the cited reference Silverman does not teach, disclose or suggest this aspect of invention whereby the supplier receives the identification of the buyer and then determines whether to initiate the exchange of confidential information with a buyer. Silverman simply discloses a matching station for choosing the parties to a transaction, but is not at all directed to

solving the problem of a conflict existing between a supplier and buyer and enabling the supplier's choice of not dealing with the buyer. Amended independent claims 22 and 43 recite similar features to amended claim 1 as discussed herein.

Accordingly, Applicant believes that each of amended claims 1, 22 and 43 and their dependent claims are neither anticipated by nor rendered obvious in view of Silverman for at least the reasons discussed above. Reconsideration and withdrawal of the rejections of claims 1, 22 and 43 under 35 U.S.C. §102(b) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant, however, reserves the right to specifically address such rejections of the dependent claims should such be necessary.

Notwithstanding the foregoing, the secondary references cited by the Examiner, Herz (U.S. Patent No. 6,029,195), Tran (U.S. Patent No. 2001/0049707 A1), Takahashi et al. (U.S. Patent No. 6,049,787), Downer (Dictionary of Finance and Investment Terms) and O'Neil et al. (U.S. Patent No. 5,987,440) are also different from the present invention in several aspects, including that they do not teach, disclose or suggest alone or in combination the method/system of the present invention which (i) requires the buyer/contributor to disclose its identity to the supplier when the buyer/contributor requests a direct communication with the supplier that enables the supplier to review the qualification of the buyer/contributor before agreeing to the technology exchange and (ii) provides a private area to the supplier so that the supplier can invite the buyer/contributor to the private area where they can perform a secure communication upon agreeing.

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Applicant believes that the application as amended including the new claims is in condition for allowance and such action is respectfully requested.